



hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 4, 2004


Josephine B. Hardy

Attorney Docket: 11957/20

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor : RATH Matthias	Art Unit : 1651
Serial No.: 10/077,283	Examiner : MARX, IRENE
Filing Date: February 14, 2002	

For: COMPOSITION OF BIOCHEMICAL COMPOUNDS INVOLVED IN
BIOENERGY METABOLISM OF CELLS AND METHOD OF USE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

And Petition for Extension of Time

SIR:

RECEIVED
FEB 12 2004
TECH CENTER 1600/2900

In response to the Restriction Requirement mailed September 30, 2003,
Applicant hereby elects, with traverse, the claims of Group I, i.e., claims 1-3 and 8-9, for
further prosecution in this application. Applicants submit that the classification and sub-
classification of the restricted groups are related and that they do not impose undue burden to
the examiner.

No fee is believed to be due for filing this Response; however, the
Commissioner is hereby authorized to charge payment of any required due fees to Kenyon &
Kenyon's Deposit Account No. 11-0600, including the fee for an extension of time (see
below).

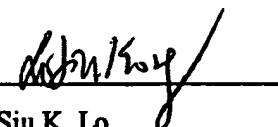
Applicant hereby requests a four-month extension of time for responding to the Restriction Requirement dated September 30, 2003. The extended period for response expires on February 29, 2004. Please charge the small entity four-month extension fee of \$740.00 and any additional fees that may be required, or credit any overpayment to the deposit account of **Kenyon & Kenyon**, deposit account number 11-0600. A duplicate of this Transmittal is enclosed.

This election is made without prejudice to the filing of a divisional application(s) directed to non-elected inventions.

An action on the merits is respectfully requested.

Respectfully submitted,
KENYON & KENYON

Date: February 4, 2004

By: 
Siu K. Lo
Reg. No. 46,877

KENYON & KENYON
One Broadway
New York, NY 10004
(212) 908-6018

636156